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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/518,913	07/27/2005	Michael Bechtold	095309.55756US	7685

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EXAMINER

MORROW, JASON S

ART UNIT PAPER NUMBER

3612

DATE MAILED: 11/03/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/518,913

Applicant(s)

BECHTOLD ET AL.

Examiner

Jason S. Morrow

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 6-20 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 6-20 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 December 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>12/23/04</u> . | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Specification

2. The disclosure is objected to because of the following informalities: The first line of the application should be amended to indicate the status of the application as a 371 of PCT/EP03/05096.

Appropriate correction is required.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 6-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over DE 19600933 (hereafter Bischoff) in view of Bladow et al.

Re claim 6, Bischoff discloses a supporting structure for a motor vehicle, in particular an automobile, comprising a longitudinal beam arrangement (6, 7), and a bumper arrangement (36) attached to at least one longitudinal end of the longitudinal beam arrangement, the bumper arrangement having a crossbeam (the transverse section of 36 in the figure) which, in an axial

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direction, rests against the longitudinal beam arrangement by way of two longitudinal beam parts (the two longitudinal portions of 36), wherein the longitudinal beam parts are attached to a central section of the crossbeam which is located at a distance from the ends of the crossbeam, wherein the longitudinal beam parts, at their ends remote from the crossbeam, are attached by way of a bearing bracket (39, 40) to one another and to the longitudinal beam arrangement, and wherein the bearing bracket is a crash element which exercises an energy-absorbing effect in the event of a crash.

Re claim 7, the longitudinal beam parts run parallel to a longitudinal direction of the vehicle and at a distance from one another in a horizontal direction (see the figure).

Re claims 8 and 11, the longitudinal beam arrangement is arranged essentially in the center of the vehicle (see the figure).

Bischoff does not disclose the bumper arrangement having a bending beam attached to the ends of the crossbeam, the bending beam being supported at its ends on the crossbeam such that it can rotate about vertical axes, or the bending beam being attached exclusively at its ends to the crossbeam.

Bladow et al. teaches a bumper arrangement having a bending beam (13) attached to the ends of a crossbeam (14) wherein the bending beam, at least in the central section rests on the crossbeam by way of at least one energy-absorbing foam body (53), the bending beam being supported at its ends on the crossbeam such that it can rotate about vertical axes (at 17), and the bending beam being attached exclusively at its ends to the crossbeam (see figure 2).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify a supporting structure, such as that disclosed by Bischoff, to have the

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bumper arrangement having a bending beam attached to the ends of the crossbeam wherein the bending beam, at least in the central section rests on the crossbeam by way of at least one energy-absorbing foam body, the bending beam being supported at its ends on the crossbeam such that it can rotate about vertical axes, and the bending beam being attached exclusively at its ends to the crossbeam, as taught by Bladow et al., in order to more effectively absorb energy in a vehicle crash (see Bladow et al., column 1, lines 45 -54).

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Thomas, Wilfert et al, Carpenter, Verzelli et al., and Pedersen disclose vehicle bumper arrangements.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jason S. Morrow whose telephone number is (571) 272-6663. The examiner can normally be reached on Monday-Friday, 8:00a.m.-4:30p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenn Dayoan can be reached on (571) 272-6659. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Jason S. Morrow
Primary Examiner
Art Unit 3612

October 30, 2005


JASON MORROW
PRIMARY PATENT EXAMINER

10/30/05